

TEXAS TRANSPORTATION COMMISSION

MONTGOMERY County

MINUTE ORDER

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HOUSTON District

In the City of Conroe, Montgomery County, on I-45, the State of Texas acquired certain land for highway purposes by instruments recorded in Volume 473, at Page 361, Volume 478, at Page 139, and Volume 482, at Page 221, of the Deed Records of Montgomery County, Texas and under the County Clerk's File Numbers 2009-001244, 2009-011180, and 2009-020173, of the Real Property Records of Montgomery County, Texas.

A portion of the land, which portion is described in Exhibit A (tract), is no longer needed for a state highway purpose.


In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of any interest in right of way no longer needed for a state highway purpose to abutting and adjoining landowners.

BKCK LTD., a Texas limited partnership, is an abutting landowner and has requested to purchase the tract for \$71,088.


The commission finds \$71,088 to be a fair and reasonable value of the state's right, title, and interest in the tract.

IT IS THEREFORE ORDERED by the commission that the tract is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument conveying all of the state's right, title, and interest in the tract to BKCK LTD., a Texas limited partnership, for \$71,088; SAVE AND EXCEPT, however, there is to be excepted and reserved therefrom all of the state's right, title, and interest, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

Submitted and reviewed by:

DocuSigned by:

BDEF0413AC9E4EC...
Director, Right of Way Division

Recommended by:

DocuSigned by:

0E1B35AE191749E...
Executive Director

116086 August 31, 2021

Minute Number	Date Passed
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EXHIBIT "A"

County: Montgomery
Highway Interstate Highway 45
Limits: SH 105 to 0.043 Miles South of Loop 336 S
RCSS: 0675-08-089

April, 2021
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PROPERTY DESCRIPTION FOR TRACT 112

BEING 0.2724 ACRE (11,848 SQUARE FEET) OF LAND IN THE L. M. H. WASHINGTON SURVEY, A- 636, MONTGOMERY COUNTY, TEXAS, SAID 0.2724 ACRE BEING PORTION OF A CALLED 0.161 ACRE BEING ALL OF LOT 4, BLOCK B, SANTA FE ADDITION A SUBDIVISION RECORDED IN VOLUME 4, PAGE 31A MONTGOMERY COUNTY MAP RECORDS KNOWN AS PARCEL 39-B CONVEYED TO THE STATE OF TEXAS DEED OF WHICH RECORDED IN VOLUME 473, PAGE 361 DEED RECORDS MONTGOMERY COUNTY, TEXAS EXECUTED JULY 17, 1959 BY WILLIE CASSEL, JR. AND NAOMI CASSEL, A PORTION OF A CALLED 0.003 ACRE TRACT OUT OF LOT 3, BLOCK B, SANTA FE ADDITION KNOWN AS PARCEL 25-B CONVEYED TO THE STATE OF TEXAS DEED OF WHICH RECORDED IN VOLUME 482, PAGE 221 DEED RECORDS MONTGOMERY COUNTY, TEXAS EXECUTED OCTOBER 2, 1957 BY WILLIE NILON AND WILLIE NILON JR., A PORTION OF A CALLED 0.140 ACRE TRACT OUT OF LOT 18, BLOCK B, SANTA FE ADDITION KNOWN AS PARCEL 53-B AND PARCEL 54-B CONVEYED TO THE STATE OF TEXAS DEED OF WHICH RECORDED IN VOLUME 478, PAGE 139 DEED RECORDS MONTGOMERY COUNTY, TEXAS EXECUTED JULY 9, 1959 BY LILLIAN M. FRIEND, A PORTION OF A CALLED 0.1225 ACRE TRACT OUT OF LOT 19, BLOCK B, SANTA FE ADDITION KNOWN AS PARCEL 113 CONVEYED TO THE STATE OF TEXAS BY WAY OF JUDGEMENT RECORDED UNDER COUNTY CLERKS' FILE NUMBER 2009-020173 REAL PROPERTY RECORDS MONTGOMERY COUNTY, TEXAS EXECUTED MARCH 9, 2009 AGAINST CASSANDRA B. WARREN, ABE WARREN JR., MICHAEL EARL FRIEND, MELILASA FRIEND, DON STANLEY BENSON, MARY JEAN BENSON AND JOHN GANNON, INC (D/B/A JGI OUTDOOR ADVERTISING) AND ALL OF A CALLED 0.0498 ACRE OUT OF LOT 3, BLOCK B, SANTA FE ADDITION KNOWN AS PARCEL 112 CONVEYED TO THE STATE OF TEXAS BY WAY OF JUDGEMENT RECORDED UNDER COUNTY CLERKS' FILE NUMBER 2009-011180 REAL PROPERTY RECORDS MONTGOMERY COUNTY, TEXAS EXECUTED FEBRUARY 3, 2009 AGAINST JONATHAN THORNBERRY AND COMPASS BANK, THE 0.2724 ACRE BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

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BEGINNING at a 5/8" iron rod found with a TXDOT aluminum disk for the East corner of the herein described tract, the East corner of the said 0.1225 acre tract, the Southwest corner of the BKCK LTD; 0.4867 acre tract of land, deed of which is recorded under County Clerk's File Number 2017-056009, Montgomery County Real Property Records, said corner being in the North line of Peach Street, (60' Vol.4, Pg. 31A, M.C.M.R.) at its' intersection with the existing East Right-of-Way line of Interstate Highway No. 45, (C.C.F.N. 2009-011180, 2009-020173, M.C.R.P.R.) having a surface values of N:10,108,878.97, E:3,831,671.28; thence as follows;

1. THENCE, S. 22° 23' 55" W., across Peach Street for a distance of 49.06 feet to a 5/8" iron rod set with a cap stamped " Jeff Moon RPLS 4639 " on the proposed Right-of-Way line of Interstate Highway No. 45 for the South corner of the herein described tract, from whence a found Concrete Monument with 3" Brass Disk bears S. 22° 24' 05" W., 14.04 feet for the intersection of East line of Interstate 45 and the South line of Peach Street being the West corner of a called 8.02 acre tract known as Tract 1 conveyed to BKCK LTD deed of which recorded under C.C.F.N. 2016-089151 R.P.R.M.C.T.;
2. THENCE, N. 19° 46' 56" W., along the proposed East Right-of-Way line of Interstate Highway No. 45 over and across the said 0.1225 acre tract, the said 0.140 acre tract, the said 0.003 acre tract and the said 0.161 acre tract for a distance of 373.74 feet to a 5/8" iron rod set with a cap stamped " Jeff Moon RPLS 4639 " for the Northwest corner of the herein described tract;
3. THENCE, S. 87° 36' 34" E., along the North line of the said 0.161 acre tract for a distance of 47.36 feet to a 5/8" iron rod found with a TXDOT aluminum disk on the existing East Right-of-Way line being the Northeast corner of the said 0.161 acre tract and the herein described tract, the Northwest corner of the said Lot 3 in the South line of Elm Street, (60' Vol. 4, Pg. 31A, M.C.M.R. said corner being the Northwest corner of the BKCK LTD; 0.0987 acre tract of land, deed of which is recorded under County Clerk's File Number 2017-083345, Montgomery County Real Property Records;
4. THENCE, S. 02° 23' 26" W., along the existing East Right-of-Way line of Interstate Highway No. 45 and the East line of said 0.161 acre tract, the West line of the said 0.0987 acre tract for a distance of 22.16 feet to a P K nail found in the East line of said I. H. 45 for the North corner of the said 0.0498 acre tract;
5. THENCE, in a Southeasterly direction with the existing East Right-of-Way line of Interstate Highway No. 45 and the East line of said 0.0498 acre tract, the West line of the said 0.0987 acre tract along a curve to the right to a 5/8" iron rod found with cap in the South line of said 0.0987 acre tract, the North line of a 20' utility strip, (Vol. 4, Pg. 31A, M.C.M.R.)said curve having a radius of 5,701.58 feet, a central angle of 01° 16' 15, for an arc length of 126.45 feet, chord bearing and distance of S. 18° 51' 56" E., 126.45 feet;

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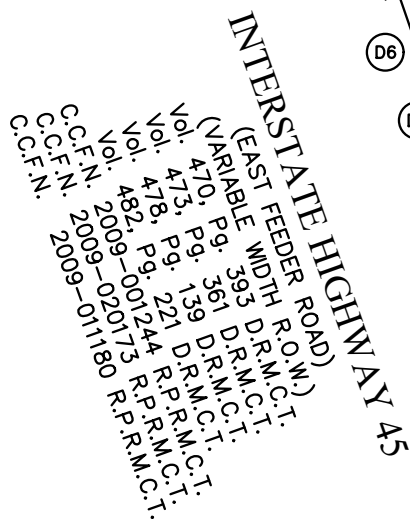
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6. THENCE, in a Southeasterly direction with the existing East Right-of-Way line of Interstate Highway No. 45 and the East line of said 20 foot Utility Strip along a curve to the right to a 5/8" iron rod found with TXDOT aluminum disk within the limits of the 20' Utility Strip said curve having a radius of 5,701.58 feet, a central angle of $00^{\circ} 06' 46''$, for an arc length of 11.23 feet, chord bearing and distance of S. $19^{\circ} 33' 26''$ E., 11.23 feet;
7. THENCE, S. $19^{\circ} 36' 50''$ E., a distance of 10.34 feet with the existing East Right-of-Way line of Interstate Highway No. 45 the West line of said 20' Utility Strip to a 5/8" iron rod found with TXDOT aluminum disk in the South line of said Utility Strip for the Northeast corner of the said 0.1225 acre tract, the Northwest corner of said 0.4867 acre tract;
8. THENCE, S. $19^{\circ} 36' 37''$ E., a distance of 151.00 feet along the existing East Right-of-Way line of Interstate Highway No. 45, the East line of said 0.1225 acre tract the West line of said 0.4867 acre tract back to the POINT OF BEGINNING and containing in all 0.2724 acre of land.

This Metes and Bounds description is based upon a Land Survey and drawing as prepared by Jeffrey Moon and Associates, Inc; dated March 20, 2020. Bearings are based upon the Texas State Plane Coordinate System, NAD '83, Central Zone. Coordinates are surface. The above 0.2724 acre tract has a closure of 1/57780.


Jeffrey Moon
Registered Professional
Land Surveyor No. 4639
T.B.P.E.L.S. No. 10112200





STATE OF TEXAS
REGISTERED
★
JEFFREY MOON
4639
PROFESSIONAL
LAND SURVEYOR

Plat showing
Tract 112
RCSS: 0675-08-089
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Line Table		
Line #	Bearing	Distance
L1	S02° 23' 26"W	22.16
L2	S19° 36' 50"E	10.34
L3	S22° 23' 55"W	49.06
L4	S87° 36' 34"E	47.36
L5	S22° 24' 05"W	14.04

Curve Table				
Curve #	Radius	Length	Delta	Chord Bearing & Distance
C1	5,701.58	126.45	1°16'15"	S18°51'56"E 126.45
C2	5,701.58	11.23	0°06'46"	S19°33'26"E 11.23

Number	Identifier	Recording Info.
D1	Parcel 39-B Called 0.161 Acre State of Texas	Vol. 473, Pg. 361 D.R.M.C.T.
D2	Part of Parcel No. 53-B Parcel No. 54-B Called 0.140 Acre State of Texas	Vol. 478, Pg. 139 D.R.M.C.T.
D3	Remainder of Parcel No. 53-B Parcel 54-B Called 0.140 Acre State of Texas	Vol. 478, Pg. 139 D.R.M.C.T..
D4	Part of Parcel 113 Called 0.1225 Acre State of Texas	C.C.F.N. 2009-020173 R.P.R.M.C.T.
D5	Remainder of Parcel 113 Called 0.1225 Acre State of Texas	C.C.F.N. 2009-020173 R.P.R.M.C.T.
D6	Remainder of Parcel 39-B Called 0.161 Acre State of Texas	Vol. 473, Pg. 361 D.R.M.C.T.
D7	Parcel 112 Called 0.0498 Acre State of Texas	C.C.F.N. 2009-011180 D.R.M.C.T.
D8	Parcel 108 Called 0.149 Acre State of Texas	C.C.F.N. 2009-001244 R.P.R.M.C.T.
D9	Part of Parcel 25-B Called 0.003 Acre State of Texas	Vol. 482, Pg. 221 D.R.M.C.T.
D10	Remainder of Parcel 25-B Called 0.003 Acre State of Texas	Vol. 482, Pg. 221 D.R.M.C.T.

LEGEND

5/8" I.R. Set

D.R.M.C.T.

C.C.F.N.
R.P.R.M.C.T.

M.C.M.R.
Vol.
Pg.
Inst. No.
--OE--
PP

5/8" Iron Rod Set with cap stamped
"Jeff Moon RPLS 4639"
Deed Records Montgomery County,
Texas
County Clerks' File Number
Real Property Records Montgomery
County, Texas
Montgomery County Map Records
Volume
Page
Instrument Number
Overhead Power
Power Pole

Vicinity Map
Not to Scale

